

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA, ) CASE NO. CR17-0153-JCC  
10 Plaintiff, )  
11 v. ) ORDER GRANTING MOTION TO  
12 CLEMENT TUI TELE ATOFAU, ) CONTINUE TRIAL  
13 Defendant. )

14 This matter comes before the Court on Defendant's unopposed motion to  
15 continue the trial date and to extend the due date for pretrial motions (Dkt. No. 26).  
16 Having reviewed the relevant record and Defendant's waiver of speedy trial (Dkt. No.  
17 27), the Court makes the following findings of fact and conclusions of law:

18 1. The ends of justice served by granting these continuances outweigh the best  
19 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

20 2. Proceeding to trial absent adequate time for the defense to prepare would  
21 result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

22 3. The defense needs additional time to explore issues of some complexity,  
23 review recently-received expert analysis, complete pre-trial investigation, and consider  
24 a revised plea offer, which would make it unreasonable to expect adequate preparation  
25 for pretrial proceedings or for trial itself within the time limits established by the  
26 Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1           4. Taking into account the exercise of due diligence, a continuance is necessary  
2 to allow the defendant the reasonable time for effective preparation of his defense. 18  
3 U.S.C. § 3161(h)(7)(B)(iv).

4           Accordingly, the Court ORDERS:

- 5           1. The motion to continue trial (Dkt. No. 26) is GRANTED.
- 6           2. The jury trial in this case is CONTINUED from April 23, 2018 to May 29, 2018  
7           at 9:30 am.
- 8           3. The period of delay from April 23, 2018, through June 12, 2018, is hereby  
9           excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).
- 10          4. Pretrial motions shall be filed by April 26, 2018.

11           DATED this 23rd day of March 2018.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE